

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

SPENCER DEMOSS,

Plaintiff,

v.

PERRY'S RESTAURANTS LTD d/b/a
PERRY'S STEAKHOUSE AND GRILLE
and CHRISTOPHER V. PERRY, individually,

Defendants.

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1:21-cv-1054-RP

ORDER

Before the Court is the report and recommendation of United States Magistrate Judge Susan Hightower concerning Plaintiff's Motion for Partial Summary Judgment, (Dkt. 36). (R. & R., Dkt. 46). Plaintiff timely filed objections to the report and recommendation, (Dkt. 54), to which Defendants responded, (Dkt. 55), to which Plaintiff replied, (Dkt. 56).

A party may serve and file specific, written objections to a magistrate judge's findings and recommendations within fourteen days after being served with a copy of the report and recommendation and, in doing so, secure *de novo* review by the district court. 28 U.S.C.

§ 636(b)(1)(C). Because Plaintiff timely objected to the report and recommendation, the Court reviews the report and recommendation *de novo*. Having done so and for the reasons given in the report and recommendation, the Court overrules Plaintiff's objections and adopts the report and recommendation as its own order.

Accordingly, the Court **ORDERS** that the report and recommendation of United States Magistrate Judge Susan Hightower, (Dkt. 46), is **ADOPTED**.

IT IS FURTHER ORDERED that Plaintiff's motion for partial summary judgment, (Dkt. 36), is **DENIED**.

SIGNED on January 2, 2024.

A handwritten signature in blue ink, appearing to read "R. Pitman", is written above a horizontal line.

ROBERT PITMAN
UNITED STATES DISTRICT JUDGE